

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

STATE OF MARYLAND,

*

Plaintiff,

*

v.

*

CIVIL NO. JKB-17-2873

SCOTT PRUITT, et al.,

*

Defendants.

*

* * * * *

CHESAPEAKE BAY
FOUNDATION, INC, et al.,

*

Plaintiffs,

*

v.

*

CIVIL NO. JKB-17-2939
(consolidated with JKB-17-2873)

SCOTT PRUITT, et al.,

*

Defendants.

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* * * * *

ORDER

For the reasons stated in the foregoing Memorandum, it is hereby ORDERED:

1. Plaintiffs' Motion for Summary Judgment (ECF No. 15) is GRANTED INsofar as it seeks a declaration that Defendants violated § 126 of the Clean Air Act, 42 U.S.C. § 7426(b), by failing to perform a nondiscretionary duty within the timeline required by the Act.
2. Plaintiffs' Motion for Summary Judgment (ECF No. 15) is DENIED INsofar as it seeks to compel Defendants to hold a hearing on Maryland's § 126(b) petition

within thirty days of this Order and take final agency action on the petition within sixty days of this Order.

3. Defendants' Cross-Motion on Remedy (ECF No. 26) is DENIED.
4. Defendants SHALL sign a notice taking final agency action on Maryland's § 126(b) petition on or before September 15, 2018.

DATED this 12 day of June, 2018.

BY THE COURT:

A handwritten signature in blue ink that reads "James K. Bredar". The signature is written in a cursive style and is positioned above a horizontal line.

James K. Bredar
Chief Judge